

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>DERRICK A. RANKINE,</b>	)	
<b>Plaintiff,</b>	)	
	)	
v.	)	<b>C.A. No. 04-100 Erie</b>
	)	
<b>SUPERINTENDENT FOLINO, et al.,</b>	)	
<b>Defendants.</b>	)	

**CASE MANAGEMENT  
ORDER**

On May 2, 2006, This Court issued a Case Management Order requiring discovery to be completed by August 25, 2006, and dispositive motions to be filed by October 19, 2006. Discovery now being closed and no dispositive motions having been filed by either party, this case is now ready to proceed to trial.

AND NOW, this 6th day of December, 2006;

IT IS HEREBY ORDERED that on or before December 21, 2006, plaintiff shall file a narrative written statement of the facts that will be offered by oral or documentary evidence at trial and shall include a list of all exhibits to be offered into evidence at the trial of the case and a list of the names and addresses of all witnesses the plaintiff intends to call. Plaintiff shall include a summary of the anticipated testimony of all witnesses.

IT IS FURTHER ORDERED that on or before , January 5, 2007, defendants shall file and serve a written narrative statement of the facts that will be offered by oral or documentary evidence at the trial of the case and a list of the names and addresses of all witnesses the defendants intend to call

No extensions of time will be permitted as the Court has set the date for trial by jury of this matter for January 22, 2007.

Failure to disclose fully in the pretrial narrative statement or at the pretrial conference the substance of the evidence to be offered at trial will result in exclusion of that evidence at trial.

The only exceptions will be (1) matters which the court determines were not discoverable by the exercise of reasonable diligence as of the time of the pretrial conference; (2) privileged matter; and (3) matter to be used solely for impeachment purposes.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
Chief U.S. Magistrate Judge